REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-13 remain in the application. Claim 1 has been amended.

In item 1 on pages 2-3 of the above-mentioned Office action, claims 1-2, 4, and 8 have been rejected as being anticipated by JP Publication Number 10151324 (JP '324) under 35 U.S.C. § 102(b).

In item 2 on pages 3-4 of the above-mentioned Office action, claims 5-7 have been rejected as being unpatentable over JP '324 under 35 U.S.C. § 103(a).

In item 3 on page 4 of the above-mentioned Office action, claim 3 has been rejected as being unpatentable over JP '324 in view of Herr et al. (US 6,086,241) and Kallinich et al. (US 4,919,170) under 35 U.S.C. § 103(a).

In item 4 on pages 4-5 of the above-mentioned Office action, claims 9 and 11-12 have been rejected as being unpatentable over JP '324 in view of Huber (US 3,785,620) under 35 U.S.C. § 103(a).

In item 5 on page 6 of the above-mentioned Office action, claim 10 has been rejected as being unpatentable over JP '324 in view of MacInnis (US 5,437,851) and Kuroda et al. (US 5,078,973) under 35 U.S.C. § 103(a).

The rejections have been noted and claim 1 has been amended in an effort to even more clearly define the invention of the instant application. Support for the changes is found in, for example, Fig. 1 and the corresponding description of the specification.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, inter alia:

> a mixer for rendering a mixing of the flue gas with the reducing agent more uniform <u>disposed downstream of said last catalytic converter in the given flow direction</u>.

Fig. 1 of JP '324 shows several catalyst beds 3 which are spaced apart from one another. A mixer 8 is arranged in the spacing between two catalyst beds 3. However, there is no mixer 8 arranged downstream of the last catalyst bed 3.

In contrast, in the invention of the instant application, a mixer (12) is disposed downstream of the last catalyst converter (8a, 8b, 8c). The advantage of this feature is explained on page 13, lines 14-20 of the specification.

Clearly, JP '324 does not show "a mixer for rendering a mixing of the flue gas with the reducing agent more uniform disposed downstream of said last catalytic converter in the given flow direction," as recited in claim 1 of the instant application.

The other cited references do not make up for the deficiencies of JP '324.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1. Claim 1 is, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-13 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made. Please charge any fees which might be due with respect to 37 CFR Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,

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